

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	3:16-cv-00769-HTW-LRA
)	
DANNY’S RESTAURANT, LLC AND)	
DANNY’S OF JACKSON, LLC F/K/A)	
BABY O’S RESTAURANT, INC D/B/A)	
DANNY’S DOWNTOWN CABARET)	
)	
Defendants.)	

**PLAINTIFF UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION’S MOTION IN LIMINE**

Plaintiff Equal Employment Opportunity Commission (“EEOC” or the “Commission”) moves the Court to enter an Order in limine prohibiting Defendant Danny’s of Jackson, LLC (“Defendant” or “Danny’s”), Defendant, Defendant’s counsel, and Defendant’s witnesses not to mention or bring before the jury, either directly or indirectly, upon *voir dire* examination, opening statement, interrogation of witnesses, introduction of evidence (including demonstrative evidence), argument or any other means any of the matters set forth below, unless and until such matters have been first called to the attention of the Court, out of the presence or hearing of the jury, and after a favorable ruling obtained from the Court concerning the admissibility and relevance of any such matters.

- A.** Any mention of Williams’ and Class Members’ communications with EEOC attorneys.
- B.** Any testimony and/or evidence concerning the EEOC’s investigation preceding this lawsuit.

- C. Any evidence, witnesses, or testimony Defendant did not timely disclose.
- D. Any mention of Class Members' criminal records, criminal acts, and/or evidence, of other specific instances of conduct, pursuant to Fed. R. Evid. 401, 402, 403 and 404.
- E. Any mention of, or reference to Daniel Daxon Owens' September 25, 2018 affidavit and/or the allegations it contains against the Commission, pursuant to Fed. R. Evid. 401, 402, 403, and 404.
- F. Any mention of *Owens et al vs. Two Unknown Named EEOC Agents*, pursuant to Fed. R. Evid. 401, 402, 403, and 404.
- G. Any mention of, or reference to, statutorily imposed caps on compensatory or punitive damages.
- H. Any statements regarding the Commission and/or the EEOC's attorneys.
- I. Any references to any rulings by the court or any motions made by the EEOC, except for motions and rulings that limit the scope and issues for trial.
- J. Any statements that the jury should by its verdict "send a message" to the EEOC or the federal government or consider similar improper factors.
- K. Any references to any discovery in this case, including discovery disputes, and information supposedly not provided by the EEOC to the Defendant.
- L. Any reference to the length or sufficiency of the EEOC's conciliation process.

A separate Memorandum is submitted in support of Plaintiff's motion.

Date: April 10, 2019

Respectfully submitted,

MARSHA L. RUCKER

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GERALD L. MILLER

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/s/Alysia D. Franklin

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**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**

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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2019, I filed the foregoing with the Clerk of Court using the CM/ECF system which will electronically send notification of the filing to all attorneys of record.

/s/ Alysia D. Franklin
Alysia D. Franklin